



USDA Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Template Version 2.09

Voluntary Report - public distribution

Date: 2/9/2007

GAIN Report Number: CH7009

China, Peoples Republic of

FAIRS Product Specific

Administrative Measures on Agricultural Product Packaging and Labeling

2007

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Report Highlights:

This is an UNOFFICIAL translation of the *Administrative Measures on Agricultural Product Packaging and Labeling*, which was published by the Chinese Ministry of Agriculture. The regulation governs packaging and labeling of domestically produced farm products. This regulation is not expected to impact trade.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Beijing [CH1]
[CH]

Summary

The Ministry of Agriculture of China recently published Decree 70 (2006), Administrative Measures on Agricultural Product Packaging and Labeling. This regulation came into effect November 1, 2006. The regulation provides guidelines for packaging and labeling of domestically produced agricultural products labeled as wholesome, green food, or organic products. This regulation does not include livestock, poultry and aquatic products. This regulation is not expected to impact trade.

BEGIN TRANSLATION

No. 70 Decree of the Ministry of Agriculture of the People's Republic of China

Administrative Measures on Agricultural Product Packaging and Labeling were adopted at the 25th Executive Meeting of the Ministry of Agriculture on September 30, 2006, it is hereby promulgated and shall be effective as of November 1, 2006.

Minister Du Qinglin
October 17, 2006

The Administrative Measures on Agricultural Product Packaging and Labeling

Chapter 1. General Provisions

Article 1 In an effort to regulate the production and operation acts of agricultural products, strengthen the management of agricultural product packaging and labeling, establish and improve a traceability system for agricultural products, and safeguard the quality and safety of agricultural products, these Measures are established on the basis of the *Law of the People's Republic of China on Agricultural Product Quality and Safety*.

Article 2. The packaging and labeling of agricultural products shall comply with these Measures.

Article 3. The Ministry of Agriculture shall be responsible for the monitoring and management of agricultural product packaging and labeling at the national level. The executive department in charge of agriculture of the people's government at the county level or above shall be responsible for the monitoring and management on agricultural product packaging and labeling within their jurisdiction.

Article 4. The central government supports scientific research on agricultural product packaging and labeling, facilitates scientific packaging methods and promotes advanced labeling technologies.

Article 5. The executive department in charge of agriculture of the people's government at the county level or above shall incorporate the management costs for agricultural product packaging and labeling into their annual budget.

Article 6. The executive department in charge of agriculture of the people's government at the county level or above shall praise and award to institutions and individuals having made outstanding contributions to agricultural product packaging and labeling.

Chapter 2. Agricultural Product Packaging

Article 7. The following agricultural products marketed by production enterprises, farmers' specialized cooperatives, institutions, or individuals engaged in purchase of agricultural products must be packaged:

- 1) Agricultural products certified as wholesome agricultural products, green food, and organic products, not including live livestock, poultry and aquatic products.
- 2) Other agricultural products required packaging for sale as stipulated by the executive department in charge of agriculture of the people's government at the province level or above. Agricultural products complying with packaging requirements may not need packaging after being unpacked and sold directly to the consumers.

Article 8. The agricultural product packaging shall comply with the requirements of storage, transportation, marketing, and safety assurances that are convenient for handling and moving.

Article 9. The packaging materials and substances, such as freshness agents, preservatives and additives, shall comply with the national mandatory technical specifications. Packaged agricultural products shall prevent from mechanical damages and secondary contamination.

Chapter 3. Agricultural Product Labeling

Article 10. The packaged agricultural products being marketed by the production enterprises, farmers' specialized cooperatives, institutions, or individuals engaged in purchase of agricultural products shall be labeled or identified to indicate the product name, origin, producer or marketer name, and production date. In case grading standards are in place or additives are used, product quality grades or names of additives shall be labeled.

Unpackaged agricultural products shall be attached with tags, plates, bands or user's manual indicating product name, origin, and producer or marketer name.

Article 11. Agricultural product labels shall use standard Chinese and the labeling content shall be accurate, clear and noticeable.

Article 12. When marketing agricultural products certified as wholesome agricultural products, green food, or organic products, the correspondent identification symbols and the names of certifiers shall be indicated. It is prohibited to infringe quality standards such as wholesome agricultural products, green food, and organic products.

Article 13. Livestock and poultry products as well as transgenic agricultural products shall also be labeled in accordance with relevant regulations.

Chapter 4. Monitoring and Inspection

Article 14. The production enterprises, farmers' specialized cooperatives, institutions, or individuals engaged in purchase of agricultural products shall be responsible for packaging and labeling content of their marketed agricultural products.

Article 15. The executive department in charge of agriculture of the people's government at the county level or above shall be responsible for the monitoring and inspection of agricultural product packaging and labeling based on the *Law of the People's Republic of China on Agricultural Product Quality and Safety*.

Article 16. In case of any of the following circumstances, the executive department in charge of agriculture of the people's government at the county level or above shall handle or penalize in accordance with Articles 48, 49, 51 and 52 of the *Law of the People's Republic of China on Agricultural Product Quality and Safety*:

- 1) The packaging materials of the agricultural products do not comply with the mandatory technical specifications;
- 2) The packaging materials such as freshness agent, preservatives, or additives used for agricultural products do not comply with the mandatory technical specifications;
- 3) The agricultural products required for packaging are sold without packaging;
- 4) Infringement upon quality identification symbols such as wholesome agricultural products and green food;
- 5) The agricultural products fail to be labeled as required.

Chapter 5. Supplementary Provisions

Article 17. Definition of the terminologies in the Measures:

- 1) Agricultural product packaging refers to encasing, boxing, bagging, wrapping and bundling of agricultural products.
- 2) Freshness agent refers to a natural or synthetic chemical substance intended to keep the fresh quality of the agricultural product, reduce losses in distribution, and extend storage time.
- 3) Preservatives refer to natural or synthetic chemical substances intended to prevent decay and deterioration of agricultural products.
- 4) Additives refer to natural or synthetic chemical substances added to improve quality, color, smell, and flavor as well as processing properties of the agricultural products.
- 5) Date of production refers to the date of harvest for plant products, date of slaughtering or processing for livestock and poultry products, date of fishing for aquatic products, and date of packaging or marketing for other products.

Article 18. These Measures shall take effect as of November 1, 2006.

END TRANSLATION